

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

October 18, 2010

Refer to: P/N # 2002-12746 (originally #2002-1E-230, now modified)

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

RIAL FITCH
C/O JOHN WADE
P.O. BOX 686
ISLE OF PALMS, SOUTH CAROLINA 29451

for a permit for the addition of dock structures to an existing dock in

SHEM CREEK

at a location #1 Shrimp Boat Ln., Mt. Pleasant, South Carolina 29464
(Latitude 32.792211, Longitude -79.882135)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

And **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the completed and proposed work.

The proposed work consists of the addition to two 7' x 12' landings extending from an existing concrete dock running parallel to the shore. The landing on the southern end of the project area will have a 4' x 20' ramp leading ebbside to an 8' x 85' float, and the landing on the northern end will have a 4' x 20' ramp leading floodside to an 8' x 106' float. It is noted that both the existing and proposed dock structures encroach on the 30' setback from the edge of the federal channel. The closest point between the channel edge and the docks is 20.9' at the corner where the proposed 8' x 85' float meets an existing float. This is noted to address any possible navigation concerns. The purpose of the proposed dock structures is for private boat mooring.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1,696 square feet (0.04 acre) of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that it is unlikely that the project will adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may have been affected by the completed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit modification will be based on an evaluation of the impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may accrue from the project must be balanced against any detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit modification will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit modification for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Holland Youngman at 843-329-8044 or toll free at 1-866-329-8187.



Charleston County

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Charleston County GIS
4045 Bridge View Drive
North Charleston, SC 29405-7464

Legend

☐ Selected Features

Streets/Roads

☐ Parcels



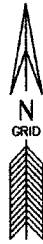
#1 SEAFOOD DR LLC / RIAL FITCH
TMS # 517-11-00-007
MT. PLEASANT
CHARLESTON CO
SHEM CREEK

SAC 2002-12746

CRITICAL LINE APPROVED
STEVEN BROOKS 6-11-10

TMS 517-11-00-007
1 SEAFOOD DR LLC
704 HOBBAW BLUFF DR
M.P., S.C. 29464

N = 350885.129
E = 2343723.656



SHEM CREEK INN
PART "A" SHRIMP BOAT LANE
TMS 517-11-00-014
SUNCOAST PROPERTIES OF SC LLC
MAILING ADDRESS:
PO BOX 51307
PIEDMONT, S.C. 29673

WATERS EDGE
RESTAURANT

NEW 7'x12'
LANDING
& RAMP

N = 350907.402
E = 2343651.508

FLOOD

NEW FLOAT

EDGE OF CHANNEL

SHEM CREEK

126+39.4

EDGE OF CHANNEL

126+28.1

EDGE OF CHANNEL

126+14.0

EDGE OF CHANNEL

126+03.0

EDGE OF CHANNEL

125+52.0

EDGE OF CHANNEL

125+41.0

EDGE OF CHANNEL

125+30.0

EDGE OF CHANNEL

125+19.0

EDGE OF CHANNEL

125+08.0

EDGE OF CHANNEL

124+97.0

EDGE OF CHANNEL

124+86.0

FORM CRITICAL
LINE

NEW 7'x12'
LANDING
& RAMP

GATE

23.7

123+80

EXISTING 7'x12'
LANDING

EXISTING CONCRETE FLOATER

N = 350785.533
E = 2343521.921

N 32° 47' 31.8"
W 78° 52' 55.8"

NEW FLOAT

N = 350708.335
E = 2343480.797

EDGE OF CHANNEL

EXISTING WOODEN FLOATER

"RB'S" RESTAURANT
LOT 62 LUCASVILLE
TMS 517-15-00-017
BOALS ENTERPRISES, INC
MAILING ADDRESS:
PO BOX 519
MOUNT PLEASANT, SC. 29464

CHURCH STREET

PROP. LINE

FISH PROCESSING PLANT

ICE PLANT

WOODEN BAR AREA

WOOD

COVERED CONC.

WOOD

EXISTING WOODEN FLOATER

PROP. LINE

EDGE OF CHANNEL

126+39.4

EDGE OF CHANNEL

126+28.1

EDGE OF CHANNEL

126+14.0

EDGE OF CHANNEL

126+03.0

EDGE OF CHANNEL

125+52.0

EDGE OF CHANNEL

125+41.0

EDGE OF CHANNEL

125+30.0

EDGE OF CHANNEL

125+19.0

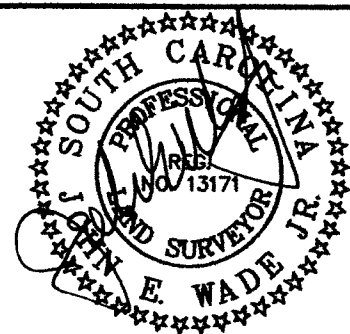
APPLICANT: RIAL FITCH
SHRIMP BOAT LANE
MT. PLEASANT
TMS# 517-11-00-007
SHEM CREEK

FILE: 071-02B

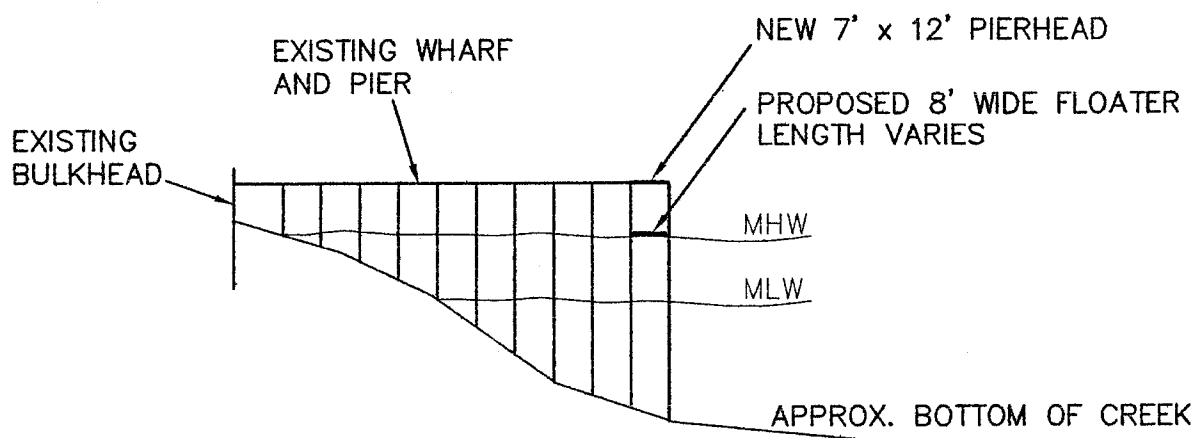
DATE: AUGUST 19, 2010

SCALE: 1" = 50'

SHEET 1 OF 2



SAC 2002-12746

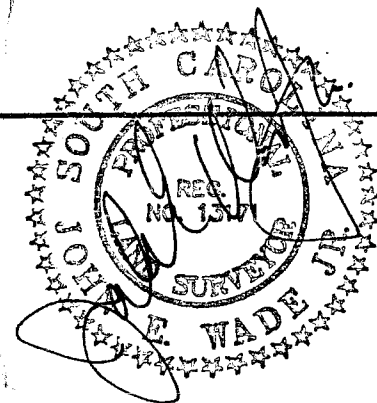


APPLICANT: RIAL FITCH
SHRIMP BOAT LANE
MT. PLEASANT
TMS# 517-11-00-007
SHEM CREEK

DETAIL "A"
NO SCALE
DATE: AUGUST 19, 2010

SHEET 2 OF 2

FILE: 071-02B



SAC 2002-12746